

ess of the consequences to the country, for they knew the late Ministry had a working majority; and that being the case, the present Ministry must be in a minority, and no one could be justified who formed a ministry under such circumstances. He therefore did say that his opinion was that this Ministry had been formed entirely in opposition to the spirit of the Constitution. If a gentleman was justified in coming into the House under such circumstances, and present such Ministers, picked up at the last moment haphazard, in this doubtful way, the Constitution under which they sat was a mockery, a delusion, and a snare. (Cheers from the Opposition.) Therefore he looked on the way in which this Ministry was got together as entirely unconstitutional; it was in its very conception contrary to the spirit of the Act under which they sat; it was contrary to the spirit of representative government—so much for the way in which the Government was formed. It appeared from what fell last night from the honorable gentleman who represented the office of Attorney-General in the House, that conferences took place between him and the honorable member for Sydney a long time before the resignation of the late Ministry took place, and that it was then concerted that he should join them when they came into office, this he certainly at the time thought rather extraordinary. That these matters should have gone on without his knowledge was very extraordinary; no idea that such a thing was going on ever entered his mind; it was extraordinary that such a proposition should have emanated from gentlemen who, with their supporters, had raised a hue and cry against him through the city, by statements which were enlarged upon and supported by one organ of the press, to prevent his getting in for the City of Sydney, or any other place; had it not been for the manly sympathy and good feeling which was exhibited throughout the country from one end to the other, he would, by means of the vituperation and abuse which appeared daily in the *Empire*, not have been in the House at all. It did, therefore, astonish him to hear that these gentlemen had in conclave calculated on his joining them; they must have thought that he possessed a great deal more of Christian virtue than he laid claim to, or thought him very anxious for the triumphs of office. Had they not been oblivious of what had taken place they could have concluded with no certainty or reason that he would join them. He felt he could afford to forget and forgive as much as possible, and to carry out what he determined when entering that House—to lend his assistance even to suppression of personal and private feelings, in furthering and advancing the business of the country. He at once informed his hon. friend the member for Sydney (Mr. Cowper) and the other hon. gentleman beside him (Mr. Murray), that, as to any private or personal feeling in the master, he was prepared to throw them entirely aside. (Hear, hear.) But that he could not under such circumstances think of joining them, unless he well understood how certain great questions that should be presented to the House by a united administration—such as the question of education, and other important questions of equal interest to the country were to be dealt with, and upon what materials those difficult questions were to be initiated. He told them that he could not join them till his mind was satisfied as to the manner these questions were to be settled—that in fact it was impossible for him to join them under other circumstances. He certainly further told them that he would have no objection to any person having the confidence of the House, who had character and weight in the country, and who it would not be disgraceful or discreditable to be associated with in the carrying on the affairs of the country. The name of the honorable member for Durham, Mr. Jones, was the one particularly mentioned, and he certainly had no objection to that gentleman—from it, for he knew that that honorable gentleman was a man of sense, and one who would not take upon himself duty that he did not feel himself competent to discharge. That honorable gentleman, with the modesty which always accompanies true merit, expressed reluctance to enter upon office, and stated his unwillingness at so early a period of his Parliamentary career to force himself prominently into public affairs. He insisted that there should be a proper understanding before he joined such a party as they were about to form. He was determined to take care that if his public duty compelled him to join the Ministry, he should know, and that too in black and white, what were the heads of all the principles on which they intended to carry on the Government. He saw gentlemen now connected with the hon. member at the head of the Government whose names were not mentioned at all, for the negotiation had not gone to that extent, the next morning, in order to ascertain the probabilities connected with the resignations of the late Ministry, and with no defined expectation, but conceiving that the late Ministry had no excuse for resigning, and that there had not been any vindictive or fictitious opposition, as was alleged, ever formed against them. (Hear, hear, from the Ministerial benches.) He maintained that there had been no opposition at all, because no great measures had been put forward to test an opposition. (Hear, hear.) He would expect that any Ministry coming to that House would enter it with the determination of doing their duty, and that they would not give up those duties lightly or easily, or under other circumstances than an unmistakable verdict or vote of censure pronounced by the House. (Hear, hear.) He would expect that any Ministry coming to that House would enter it with the determination of doing their duty, and that they would not give up those duties lightly or easily, or under other circumstances than an unmistakable verdict or vote of censure pronounced by the House. (Hear, hear.) They could not afford to change a Ministry day after day upon light questions. Men determined to enter upon political life and perform the duty to the country they desired to serve, must not be thin-skinned. (Hear, hear.) They must submit to hear and patiently listen to the expression of different opinions, to hear independent opinions of a majority of the members of the House, and must learn to bend to these opinions as far as they happen to prevail. It was the business of a Ministry under a responsible Government to bend to the wishes of the majority of the House; for if Responsible Government was to be carried on those in office for the time being must bend to the wishes of the majority of the representatives of the House. And it was plain that the opinion of the majority could only be obtained by votes taken on great measures of policy, or on such a matter as that now before them, which was a vote of confidence. (Hear, hear.) In the assertion of the rights of Responsible Government, if they made a false step now it would be perpetuated hereafter; and if any hon. member, who might be called upon to form a Ministry, followed the example set by the hon. member at the head of the Government, and should go among his own friends for a Ministry, and into the highway and byway, in order to fill the offices of the Government, he would be doing a serious injury to the experiment of responsible Government. If such a system was carried out, what would they get by a responsible Government? nothing but corruption and fraud. Such it must be acknowledged, by those who thought for a single moment on the subject, would be their fate. However inconvenient it might be to a Ministry, the first great object to carry out was to settle the principles upon which the business of the country should be conducted. The first duty of a ministry was to settle principles, and then to endeavour to carry out as far as possible those principles; there would then be no mistake. A ministry should not be formed of persons without ability, character, or standing in the country. If a ministry was forced on such as that, then he would repeat that responsible Government was a delusion, a mockery, and a snare. His object in going to Government House—whether it was judicious or necessary for him to do so was not the question—it showed at all events his singleness of purpose—was to learn from his Excellency whether the Government was really in any difficulty. He could not presume to put a question to his Excellency on the subject; but if he had so presumed, and if the Governor-General had confined to him any explanation, he would have felt himself bound to have kept it sacred; nor would he have thought of disclosing it no more than he thought then of cutting off his right hand. On his return from Government House he met the honorable member at the head of the Government and his honorable friend opposite, and at once told them that he had been at Government House merely for the purpose of finding out, if he could, whether the Government of the country could be carried on without changing the administration. He, at the same time, stated his views on the subject of the resignation of the late Ministry, for he could not believe that they would have resigned on the grounds they did; he had various surmises on the subject. He thought that there must have been a scilicet among themselves, and that the best thing that could be done, under such, would be to get the parties together, and find if one or two might not be got out, and their places supplied, so that with a new infusion the Ministry might go on without putting the country to the expense and inconvenience of a new election. This, he thought, also would save the country members much unnecessary time and expense, at a period of the year when their private affairs so demanded their presence at home. Looking at all the circumstances of the case, he thought that no man who fairly considered the question, and reflected on the delay of the business of the country alone, irrespective of place and power, would pause from attempting to form a ministry, even if there was material ready at hand for the purpose. But so far from that being the case there was much difficulty in the matter. When the hon. member opposite came first to him, although he had no reason to calculate upon him, he (the hon. Colonial Secretary) had no one

could not be wholly overlooked. Situated as they were, and considering the successive antecedents of the colony, he did not think they could afford to put up with the slightest loss of character in their public men. (Hear, hear.) Much less could they put up with the appointment of a person of damaged character to one of the most prominent offices in the Government of the country. He was fully aware of the Shaksperian saying, that "A man's evil manners live in brains, whilst we write his virtues in water." But it was necessary sometimes that this should be the case, if it were only to serve as a caution to those who might follow. In ordinary circumstances many faults might be allowed to pass unnoticed, but when a person was placed in a prominent position, like that of Mr. Martin, his errors were naturally brought more conspicuously into view. Seeing that Mr. Martin was undoubtedly a very able debater; that he had in him as fair materials of usefulness to the country as most members in the House, he did think that in putting him forward into a position where he would be publicly stigmatized, that the Ministers had indeed taken a bold step. It seemed to him that it was more than a bold step, that it was a selfish step—he would repeat it an audacious step, and even a cruel step towards Mr. Martin himself. (Loud cheers.) He had never been blind to the merits of Mr. Martin—he had always been inclined to the opinion that it would be the better place for Mr. Martin to go to the Bar, to establish for himself there, by his own industry and his own talents, which had hitherto sustained him so well, a character in which the pecan-dilles of his youth should be lost sight of. That he should, for some years at least, apply himself to obtaining a position at the Bar, and during which the memory of former events in his career might float down the stream of time till they were drowned in the Letha of oblivion. (Hear, hear.) These were the feelings and sentiments he entertained towards Mr. Martin. True it was that there were certain circumstances connected with himself under which he could not consent, under any sense of public duty to serve in any Ministry with which Mr. Martin was connected, but he had never said, he had never contemplated that he should be unable to support a Ministry because Mr. Martin was a member of it. But while he would never have deemed it necessary to exclude Mr. Martin from any Ministry, he never dreamt for one moment that he would be offered, that he would accept the office of the first law officer of the Crown. (Loud cheers.) The hon. Member for Sydney, (Mr. Campbell) who had been deputed to wait upon him to press upon his acceptance the office of Attorney-General, never so much as hinted that Mr. Martin had been offered the same office. The hon. member had never even alluded to his having taken office himself, and if he had really have told him that he had accepted the office of Colonial Treasurer he could only have laughed at it as an amusing joke. But to thrust Mr. Martin into what he himself had termed the highest pinnacle of official distinction in this colony, was, he thought, acting most cruelly to Mr. Martin. He was aware that many gentlemen would wish to speak after him in this debate, and though it was on a subject which might well suggest many lengthened observations, he should not occupy the time of the House much longer. But he must deny the force of those arguments which had been directed against the consideration of the great principle involved in this question; and he was quite prepared to admit all the evils of delay, which it was said would arise out of it. But he contended that all these evils could weigh as nothing in comparison with the still greater evil of departing so early from the spirit of the system of Government which they had adopted for themselves. (Cheers.) He protested against the spirit of the Constitution being forgone for any selfish or grasping love of office, and it was impossible not to see that the hon. members at the head of the Government had, in their eager desire to obtain his ends, grasped at office, regardless of the means by which he attained it. Who were those who he had placed in office? His own personal friends.

Mr. COOPER rose to order: It was against the orders of the House to impinge motives.

Mr. PLUNKETT: On such an occasion as this, when the Ministry were on their trial for the way in which they had accepted office, he would spurn the mere formal regularities of debate. He openly denounced the motives which had induced the Colonial Secretary to grasp at office; as selfish and inconsistent with the spirit of constitutional government, and if they had not a right on such an occasion as this to expose such motives and to denounce them, it would be better for them to shut up shop altogether.

Mr. WEEKES rose to order, and demanded the decision of the Speaker, whether the hon. and learned member was in order in continuing to impinge motives.

The SPEAKER ruled that motives could not be imputed.

Mr. PLUNKETT bowed to the decision of the Speaker—but he little thought on a question like this, in which the conduct of the Ministry in accepting office against the will of a majority of the House, could only be judged by the motives which actuated them, that such an objection would have been raised. But he would suppose the case, that should some other future Minister eager to grasp power, but who had no party that possessed the confidence of the country to join him, and who to supply the place of such a party should pick up his own personal friends and acquaintances, he would ask in such a Ministry so constructed, and to gratify such ambition ought to meet with the sanction of the House. (Cheers.) Let them remember that on this question the character of the country was in their hands. (Cheers.) It was not by the election which had taken place this question could be determined. It was that House that must determine whether the course adopted by the Ministry was justifiable or not. The elections had very little bearing on this question. He had little doubt that in the late election, had he voted at all, he should have given his vote to the hon. member at the head of the Government, because he had always been found a useful representative of the people. He further believed, and had long believed, that he would be a valuable component part in any administration that might be formed. He would have done this as voting for Mr. Cooper as member, but when the question arose as to the formation of a Ministry by that hon. member, the utter defiance of constitutional principles which he had exhibited, told him that he ought at once to be expelled from the place which he had so improperly obtained, and of his fitness to fill which this House was the only judge. (Cheers.) The same remarks would apply to the hon. Minister for Public Lands and Works—the hon. member for the Southern Boroughs. Had he possessed a vote as an elector, he should probably have given it to that hon. member, but he could never have given him any support, and if he were coupled with his associates and with his present colleagues, or if such support could be construed to convey any approbation of the present Ministry. Then again the hon. member for Cook and Westmoreland had told them in the way of boast that he had been returned five or six times by his constituency. But he would say that there was no constituency in the country which so closely assimilated to the rotten boroughs in England as that constituency. It was notorious that one man who possessed influence enough to return any member whom he might support, had on all occasions given the benefit of that influence to Mr. Martin. And he would further state that in the recent election he thought that gentleman had used his influence in the most unconstitutional manner. He had intended to bring the matter under the notice of the House, and to inquire with what propriety a member of the Upper House, standing in the position of a peer of England, was justified in taking any part in the elections of people to be members of the Assembly. (Cheers.) In England no peer was allowed to take any part in elections, and he thought in the spirit of the Constitution, no member of the Upper House should take part in elections here. (Cheers.) But repeatedly this gentleman, who held the election for this constituency in the palm of his hand, had thrown all his influence into the scale of Mr. Martin. Therefore he considered the elections which had taken place were no worse whatever as to the approval of the conduct of the present Ministry in accepting office. (Cheers.) No doubt the Colonial Secretary had exercised great tact in making a great show of business already performed. That it was his policy, when the country was suffering from the delay of public business, to make it appear that his Ministry had done as much in a fortnight as his predecessor in office had done in three months. Whether the present Ministry had either stolen or borrowed the measures which they had thus brought forward, it was not for him to say; but this he would maintain, that looking at the way in which the Ministry was established, and of the materials of which it was constructed, that it was unconstitutional in its inception and rotten at its core. (Loud cheers.)

Mr. FOSTER trusted that he was not so blinded by party spirit, that he was not so thoroughly possessed by that devil of party feeling, and which he admitted was often a most malignant devil, as to deny to the gentleman who opened this debate, the meed of praise for the great ability which his speech displayed. But that speech while doing full justice to the talents of the hon. member, bore still higher testimony to his honesty of purpose, for in bringing the motion now under discussion before the House, he had found it necessary to lay bare the motives which had induced this motion, and under which he had been put forward to make—

(Several members rose to order, and Mr. HAY emphatically denied that he had been put forward).

Mr. FORSTER : He had not the slightest intention of imputing to the hon. member any intention of bringing this motion forward at the instigation of others, or to serve their purposes. He was quite satisfied the hon. member would never descend to such a course; but they were all aware of cases where men of the purest intentions were made the unconscious instruments of forwarding the schemes of others. He was convinced the hon. member had been made a tool of on this occasion. He has made the motion no doubt of his own will; but he thought few members did not believe that the plan of attack had been concocted long before without the doors of that House. He thought the honorable mover of the resolution had shown his honesty, because, at the first he unmasked the nature of the step he took. But the speech of the honorable member for the Sydney Hamlets was characterized by personalities. He believed honorable members were so accustomed to hear personalities from that quarter, that they were not surprised at the speech of the honorable gentleman on the present occasion. He was, however, surprised that the pledge made by the honorable gentleman at the commencement of his speech should have been so soon broken. Would he wish the sincerity of his public actions and his public professions to be tested by the manner in which he had fulfilled that promise? He believed it was the desire of the honorable gentleman when he commenced to abstain from personal matters, but it appeared that he, like other honorable members, had been unable to avoid those personalities against which the House ought carefully to guard. He hoped the new members of the House would set a very good example to the old ones—an example they very much needed. "We have a right, Sir, to rip up the private lives of all hon. gentlemen on"—

Mr. MAGARTIIR rose to order, and denied the right contended for by the hon. member, repudiating his assumption that such an example had been set by hon. gentlemen on this side of the House as that inferred by the hon. gentleman.

Mr. DARVALL reminded the hon. member that if it was his intention to allude to the private character of any one, he ought to notice that particular gentleman.

Mr. DONALDSON : Hear, hear. No vague generalities.

Mr. FORSTER disclaimed any wish to exercise the right, but he did not see that he was out of order in asserting an abstract right.

The SPEAKER reminded the hon. member that it was very desirable to avoid discussion in reference to the private character of any hon. gentleman. (Hear, hear.) He would also take this opportunity of expressing his opinion that it would be much better if gentlemen would not attempt to draw a distinction between "old" and "new" members, because it might cause considerable inconvenience hereafter. (Cries of hear, hear.)

Mr. FORSTER said he would endeavour to avoid drawing such distinction for the future. He thought the hon. gentleman who had moved the resolution before the House, had been the unconscious instrument of a party. When he heard him (Mr. Hay) complain of the laughter with which his proposition was received, (Mr. Forster) could not help thinking it might recur to that hon. member, that it was a laugh of compassion at his simplicity—that he should have allowed himself to have become the instrument of men whose motives he did not seem to understand. When he (Mr. Forster) brought forward his proposition in reference to the Judges having seats in the Upper House, he heard charges rung from one end to the other of the Treasury Benches concerning its abstract nature, but he would like to know, after the admission of the hon. member for the Sydney Hamlets—in what respect his motion was more abstract than the present. That motion had at least a practical effect in view. He believed the conduct of the Government on that occasion, the lamentable incapacity they exhibited, and their assumption of contempt to himself, gave the first blow to their downfall. The honorable member for the Sydney Hamlets told the House, that if the present motion were carried by a majority as he anticipated, he hoped the present Ministry would not reign: then, he would ask, what was the proposition more than an abstract one? Why not wait until their measures are before the public?

Mr. DONALDSON : They are before the public.

Mr. FORSTER : The honorable member, from his previous acquaintance with office, might understand them, but he (Mr. Forster) should require a little more explanation before he understood them. (Laughter.) If the present motion was not to have a practical effect, it would simply obstruct the business of the country, and the Opposition was, therefore, factions. The imputation of factious motives from honorable gentlemen opposite emanated from their own factious feeling. (Hear and laughter.) He sympathised with the hon. mover in reference to the public business, but he stood aghast at the long time occupied in discussion, and the little that had been done. After reiterating some of his previous remarks, the hon. gentleman said he believed the whole case to be this: hon. gentlemen opposite would not bring measures before the public when they possessed office, and now they wished to prevent other members from bringing forward measures which could be compared with their own. (Hear, and laughter.) The hon. mover of the resolution claimed for himself credit for modesty. He (Mr. Forster) was disposed to give him that credit—in general—but he thought he had taken an extraordinary mode of illustrating it, in moving this particular resolution. He objected to the mode in which the hon. member had supported it, to the assumption of neutrality, and also to the dictation he ventured to adopt towards hon. gentlemen on the cross benches. (Cries of no, no, and hear, hear.) He did think, however, the honorable the Secretary for Lands and Public Works displayed bad taste when he alluded to the hon. member who moved the resolution as a tyro. The remark itself was not original; it was made by the hon. member for the Sydney Hamlets at a time when he rather miscalculated the power he possessed of putting a tyro down. He objected to the tone which the hon. member the mover had used in designating the conduct of certain members as factious and improper, and he also used a number of epithets such as bad and improper, which he did not remember. Now he wished to know what right the hon. member had to assume the neutrality of himself and his friends? It seemed to him that the opposition on the other side was factious. It was begging the question to assume that every thing that they did on this side of the House was factious, and that everything that they thought right was constitutional. Now he had listened with great attention to the hon. mover's speech, and he considered that some of the hon. member's sentiments were very high and constitutional sentiments. But he could not help thinking that his observations, although they showed that they did not contain much originality, seemed to show a considerable amount of reading of a well-known daily paper. He seemed to study that paper, and he wished him joy of the knowledge he sought to acquire. (Hear, hear.) The hon. member had based some of his arguments on precedents. Now, he always thought it very difficult to find precedents which would apply to themselves. (Hear, hear.) He would admit them only when they were applicable; but with regard to most precedents that were quoted by hon. members, he did not think they seemed applicable. He would ask the hon. member whether he could show any precedents in history for men coming into office under these circumstances, and in consequence of men resigning with a majority in their favour, and which they told them now existed, and on which he thought this motion was founded. He would ask whether this resignation was not a falsification of the principles which the late Ministry had professed.

Mr. DARVALL said he rose to order. It was improper, he conceived, to mix up questions concerning the late Ministers, whose return to office was doubtful, and some of whom, he believed, did not desire to return. If they adopted this course it would protract the debate, and was very unusual.

Mr. PIDDINGTON said he thought a great deal of unnecessary interruption had arisen from the legal members of the House. The hon. member had stated that the resignation of the late Ministry had nothing to do with the question at issue—(hear, hear)—because it was a matter that was gone by. The resolution under discussion referred to the formation of a Ministry which was also matter gone by.

Mr. ROBERTSON said he rose to point out the conduct of the old members of this House. A little while ago they had listened attentively to the hon. member for the Sydney Hamlets, while he read from a pamphlet, and they now refused to hear his hon. friend the member for Murray.

Mr. DARVALL requested the decision of the Speaker.

The SPEAKER ruled that the hon. member was not out of order.

Mr. FORSTER continued : He thanked the Speaker for having convinced the hon. member that his interruption had caused more delay to the pub ic time than if he had allowed him to have gone on. (Hear.) Now he would ask some indulgence of the House while he did allude to something past, not in any spirit of defiance to the observations of the hon. member, because he would maintain his right, and allude to the past, even as far back as the

of Noah, if he thought proper. He asked indulgence of the House, that he might give some explanation of his own conduct. They heard so many Ministerial explanations and expostions from hon. members who had been before him longer than he had, that he trusted the House would allow him to make a few observations on his conduct, because he thought he was implying the charge of the hon. member of a factious opposition. If there had been an hon. member in the Assembly for whom he felt a stronger prepossession than for another it was for the hon. member for the Sydney Hamlets. He felt this from what he knew of former political conduct. He recollects having conversed with an intimate friend of his who had supported his (Mr. Forster's) return, and he told him he thought that Mr. Donaldson was the man, or at least, that he could act with. He had made a mark sincerely, and he came down sincerely impressed in favour of that Government. He recollects, therefore, that his having opposed Mr. Forster, was not factious, but it was, because he could not consistently support him, though he was almost pledged to support him. He was strongly prepossessed, in his favour, in the first matter that was brought forward, however, by his confidence in an unconstitutional manner. Mr. Forster was also a subject of history, although perhaps not so well known as the hon. member for the North Riding would feel inclined to allude to it. He found, as he had said before, that the hon. member had taken office in an unconstitutional manner; he need not allude to the manner in which it was disposed of. He must say that he regretted that all the disasters that had happened to the responsible Government had occurred in consequence of the false position taken by the late Ministry.

I heard it said by men whose opinions he differed from his own, that a Ministry commenced in such a manner could not long continue in office. And also that this false position accompanied by what was an immense degree of pretensions in behalf of his Excellency's, which had been praised to the fourth of the colony, although he did not feel inclined to join in that general praise, because he thought it was too general in its propositions, and contained a immense amount of professions and pretensions which began to see were not carried out, and carried out, were carried out in the same manner. The hon. member for the Sydney Hamlets said he had avoided personalities, when he commenced his speech to-night. What was the result of all? That the House had indemnified them for the authority which they had assumed, and after the exercise of their pretensions, they fell, as soon as they saw their own incapacity, and left behind them nothing but a trail of venom—he might say, the venom of those who had been crushed, and leaves nothing but his fangs. (Hear, hear.) They had left them nothing but childish pettulances and unfeigned repentance. (Cheers.) Now he did not stand up here as the advocate of the present Ministry, merely as far as the sake of the public, that he could pause before they turned out another Ministry, so put all the business of the country in order. He did feel, however, that he preferred the present Ministers to the last. He believed that the Ministry which occupied the Treasury benches would be ashamed at any comparison that was made with regard to their abilities; and it was for him to go into the question of their abilities, because he believed the public were convinced that the responsibility was tolerably equal, and that there was no superiority between the present and late Ministries. In point of character he knew, notwithstanding the personalities that had been used, that there needed no comparison of the members of this side of the House with the other.

Mr. DARVALL said he rose to order. He said that the hon. member could not enter into the private character of hon. members, and that he was bound to confine his observations to Parliamentary limits.

Mr. ROBERTSON said, when the hon. member had Hay spoke and was interrupted, the hon. member on the other side of the House thought it unfair, and now they will not allow the hon. member to carry to proceed.

Mr. WEEKES submitted that the hon. member was out of order.

Mr. DARVALL wished to have the Speech of the SPEAKER ruled that the hon. member was out of order.

Mr. DARVALL said he rose to order. He said that the SPEAKER ruled that the hon. member was out of order.

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Mr. FORSTER resumed: Well, he should like the hon. member to explain, how he drew a line between public and private offences. All offences, he presented as private until they were found out; and understood rightly, this alleged offence which had got so much upon him had never been followed up, nor been punished—and therefore he would ask the hon. member to explain how they drew a line between those to which he made allusion. He had called upon to defend the present Ministry, and assumed that one member of the Ministry had been months of hon. members opposite, or at least in the object of persecution. He should wish to consider the question on its merits. (Hear, hear.) He had had the opinion of the House on the present question, which ought to have been expressed before the adjournment. Where were the hon. members brought forward and supported the present ministry? Why did they not then stand up and repudiate the assumption of office by these gentlemen? (Hear, hear.) Their names were known, at all events, and a motion was made for their vacation of office at the meeting of eighteen members, which is large, was held out of doors, would any gentleman deny that this meeting, if it was, was a conspiracy? He would ask by what assumption of the functions of that House had this meeting met? (Hear, hear.) He would say that thirteen gentlemen, who had sent a message to the Governor-General, had assumed the functions of the House, and acted unconstitutionally.

MR. CMBER: There were no Ministers at the time, it was not to the official position of the Ministry that the insult was given, but to that House; whether members dared to state what a majority of the House were prepared to do. He trusted that the names of these members would be made known, published in large letters, at the next election. (Hear, hear.) After the admissions made on the part of the House, it appeared to him that a proper epithet had been given when this motion was called preposterous. He would ask the House would they disgrace themselves by endorsing the acts of a convention of eighteen men, a man, the hon. gentleman at the head of the Ministry was bound not to submit to the conduct of this convention; as a man of the House he was bound not to submit to an interference with the constitutional privilege of the House. He objected to the motion before him, especially, because it was intended to turn out a number of men that it would bring in—that it would cause an invasion of the rights of the House. Therefore, called on hon. members to stand by the public business and the malice of a disaffected party—(laughter)—of a party who reminded him of the stern apologue, wherein it was stated that a man who had crossed the border of the Dead Sea were cast up, and left to shatter for the remainder of his days, because they had failed to perform the errand they had in their power. (Laughter.)

Mr. G. MACLEAY said, that in the absence of the hon. and learned Attorney-General he hesitated to address the House; and he doubted whether he had risen at the present stage of the debate were it not that he was reported in the *Empire* of that day as having said on the previous evening that he was prepared to address the House after the attack of the hon. and learned member; whereas his right hon. friend, that he was most anxious to address the House. This he stated most distinctly. (Hear, hear.) The hon. and learned member had attacked him before he knew him, he (Mr. Macleay) was about to take, also, without hesitation in saying that he should vote for his resolution. (Hear, hear.) The hon. and learned member had said something to the effect that, that he had years previously voted for him as a member of the club, when he (Mr. Martin) wished to become a member of that body, he (Mr. Macleay) new acted in an unbecoming character of an English gentleman in opposing him. He would give a brief statement of the facts of this case. Becoming acquainted with the hon. and learned member in the Legislative Council, and the hon. and learned member wished me to be a member of the club, he voted for him on the first occasion, the hon. member was rejected on the second time seeking to become a member, he (Mr. Macleay) again voted for him and asked all his friends to stand in security for his election. Now, he took (Mr. Macleay) as a member of the club was on record his vote as he individually thought fit. There was a great difference between voting for a man to be a member of the club and to keep him in a position which gave an advantage to the colony at large. (Hear, hear.) In the one case, he (Mr. Macleay) was responsible himself; in the other, he was responsible to his constituency and the entire colony. (Hear, hear.) He heard, and he believed, that the appointment of the hon. and learned member to the office of Attorney-General had given great offence to the community; and he believed that if each member of this side had consulted his own feelings,

than his party motives, the hon. and learned member would not have been Attorney-General. (Hear, hear, and No, no.) If he felt himself at liberty to repeat a private conversation, he could show that at least one hon. member among the Ministers was most unwilling that the hon. and learned member (Mr. Martin) should hold this particular appointment; but he would not repeat the conversation unless he obtained the leave of the honorable member opposite. (Hear, hear.) The hon. member had gone on to state that he (Mr. M.L.) was under an obligation to him. The circumstances to which the hon. and learned member had alluded were these. The late member for Liverpool Plains (Mr. Morris) had introduced into the House a Scab in Sheep Bill. That Bill had been drafted by the hon. and learned member, and Mr. Morris, who was about leaving for Victoria, asked him (Mr. M.L.) to take charge of the Bill in the House. He had consented to do so, solely to oblige that gentleman; and on asking him who would draft the Bill, and from whom source the payment for so doing was to be derived, Mr. Morris informed him that no doubt Mr. Martin would do it without any remuneration, because he had already received a hundred guineas for drafting the former Bill. He had certainly understood from Mr. Morris that Mr. Martin would draft the Bill, on account of the large sum that had already been given him.

MR. RUSDEN asked if the House was to go into the Scab Act? It was a subject he was much interested in, and if it were to be entered upon he should have something to say on it.

MR. MACLEAY would only say that he had distinctly understood from Mr. Morris that Mr. Martin would draft the Bill gratuitously, and on that account had never mentioned to him anything about professional remuneration. Had he thought otherwise he certainly should have considered it necessary to pay for the work done. He took some blame to himself for this error he had made, but he had thought 100 guineas ample, and then the matter went from his mind. He was, therefore, surprised when the hon. and learned member charged him with being under an obligation to him (Mr. Martin), not at first understanding what he meant; but if the hon. and learned member thought him under an obligation the hon. member would perhaps allow him to settle the matter in a proper manner. In saying this he did not wish to hurt the feelings of the hon. and learned member, but as it appeared that he had been mistaken in the remarks of Mr. Morris, he had certainly no right to call upon the honorable and learned member to draft the bill without also remunerating him for his services. As to his social intercourse with the honorable and learned member, he would say that he had been on terms of ordinary intercourse with him until the commencement of the present session, when he had shewed by the terms he had used, and the language he had employed, that he had a hostile feeling towards him (Mr. Macleay), and, consequently, during the present session, he had scarcely spoken to, and had not shaken hands with, that honorable and learned member. Any malignity, however, was not on his (Mr. M.L.'s) part, but on that of the hon. and learned member. He had no desire to occupy the House upon a matter that was purely personal, but would ask them, whether he had, in what he had explained, done anything unworthy the character of an English gentleman? In speaking on the general question he would be as brief as possible, as he was suffering from indisposition, arising from the state of the House and the very insufficient ventilation it afforded. To this he called the attention of the head of the Government, as it affected not only himself, but also many other hon. members, who had felt the same inconvenience; were a remedy not applied, he should not be able much longer to attend his duties there. The honorable member who had last sat down had complained of the gross personalities that had been rife throughout the debate, whilst he himself had taken good care not to be in this respect behind those who had preceded him; for he had spoken of the late Ministry going out of office like dying serpents, and leaving a trail of venom behind them.

MR. FORSTER repudiated any personality. His remarks had been general, and therefore attached to no individual.

MR. MACLEAY could not see much difference between calling five gentlemen serpents, and calling each individual gentleman a serpent. The only thing was that the plan adopted by the hon. member was a personality in gross, whilst the other was a personality in a lesser degree. It was all very well to raise the cry of measures and not men, but for one would never take up that cry—for if measures only were looked at, bad men might take advantage of good measures to thrust themselves into power, to the ruin of the Constitution. The hon. member had complained also that the motion was a mere abstract resolution, but he could conceive nothing more practical than the words in which it was couched, since it pledged the House to an opinion which if expressed by a majority of that House must put the present Ministry out of office. He had also complained of the factious opposition offered by this side of the House; now, it was somewhat difficult to define what the word factious really meant, but he took it as to be applied "only to an opposition on improper grounds, by a minority against a majority. By the Constitution the majority of the House ruled the minority, and as the majority was on his side of the House, the opposition by them could not be factious, the faction lying only with the minority. The hon. member had also stated that it was the duty of hon. members to wait until the measures of the present Ministry had been brought forward. But the honorable member seemed to forget that these measures were already before the House, that they were known, and that they would be taken into consideration at the proper time. He had no wish to go into those questions at that moment, but he was assured of this, that when they were entered upon the Government would find itself in a minority. If, then, such a thing were to be done, "if 'twere done then 'twere well 'twere done quickly." They were now near the end of the year, and there was but little time left them to get through the business of the session. Enough time had already been wasted, and it would not be much object to the present Ministry if they went out now on a direct motion of want of confidence, or some fortnight hence on one of the measures they had introduced; whether they received the *coup de grace* now or hereafter. The hon. member had also spoken of his hon. colleague as the unconscious tool of a party, but the hon. member could scarcely know anything of what he was talking about. His hon. colleague had attended with him at the conference at Kellet House, and had then brought forward the motion now proposed to the House, which before that time had been seen by no one of the gentlemen present. So far, then, from being dictated to, it was he who had laid down the course now pursued; and it was difficult in the mind of any thinking man to conceive that such a man as his hon. colleague had shown himself to be made a tool by anybody, much less an unconscious tool. His impression was totally different from this, and so far from being a tool, he felt persuaded that his hon. colleague would one day, and that not long distant, create for himself a name in the country among politicians. The hon. member complained of being called a "tyrannical scoundrel." He certainly had never appeared in that position in this House, and they had no right to complain of any want of modesty on the part of Mr. Hey. An hon. member had complained of a conspiracy on the part of the members of the cross benches. He would declare hon. members from expressing their opinions, except in the House. He (Mr. Macleay) took it that they had as much right to meet at any place, when a Ministry and in commission, as other members had to meet at Ross Bay previously. If the former was a convention, as had been alleged, so was the latter. He thought there could be no doubt that the present Ministry was formed under circumstances which would preclude it from obtaining the confidence of the House. The Colonial Secretary was sent for by the Governor-General to advise him; that was all perfectly constitutional; but that hon. member had no occasion to push himself forward so chivalrously as the only supporter of a deserted governor. He did not complain that the appointment was unconstitutional, but he complained that, after all they had heard from the hon. member for Argyle, about the behind scenes work which had gone on during the negotiation, and the Ministry, knowing it could not command a majority, he complained, he said, that they should grasp the reins of power and jump into office by forming a Ministry, two Ministers of which, they knew must be obnoxious to the House. He did not wish to say anything severe of one of those gentlemen who had abused him so much yesterday. The time would come when that hon. member would know how undeserved that abuse was. There were two members introduced into the Cabinet whom it was well known would be unpalatable to the House. He would be sorry to say anything hurtful to the feelings of the Colonial Treasurer, whom he much respected, but at the same time he looked upon him in this Ministry, and the country looked at him as simply *locum tenens*. The hon. the Colonial Secretary seemed to look upon the certain position in the Ministry as his certain right, a post to which he was born. No doubt Mr. Cowper was well worthy of office, but if he came into office he would do so in such a manner as to be able to command a majority in the House. The present Ministry failed, as they must have done,

THE SYDNEY MORNING HERALD, FRIDAY, SEPTEMBER 19, 1856.

THE ALMORA'S MAIL.

By the Telegraph, Captain George Gilmore, we have the news brought by the Almora from Liverpool to Melbourne, a mere outline of which was published in our Supplement of Monday last.

At last we have the pleasure of making known the important fact that the Australian steam contract is settled by the acceptance of Mr. Palmerston's proposal for a monthly service between the Colonies, whom he on this occasion looked upon as representing those colonies as well as the United States. The arrangement, it is true, is still to be submitted to Alexandria, and from Suez by way of Point de Galle and round Cape Louren, to Melbourne and Sydney, performing the passage monthly each way. In connection with those, of course, a mail from France, via Mauritius, will be sent to the Colonies, and another from Southampton to Alexandria, 12 days and 12 hours; and to Suez, 14 days. The time from Suez to Melbourne, onward, and from Melbourne to Suez, homeward, 35 days; so that, adding 7 days for the regular service through France, we have a total monthly service from London to Melbourne in 46 days, and from Melbourne to London in 42 days, allowing for delays, including stoppage at Melbourne each way. And for Sydney, the time occupied would be 30 days out, and 16 days homeward. The time from London to the Colonies, however, will be 30 days out, and 16 days homeward. The time from the Colonies to London, with passengers and the mail in October, will arrive in Melbourne in time to commence the regular service to Suez in January. The second boat will leave Southampson in November, the third in December, and the fourth in January, and so on in time, so as to keep the service from Sydney monthly, in regular succession after January. The sum to be paid is £155,000 a year, half of which will be contributed by the colonies. We learn that already there is in course a plan to extend the Point de Galle by telegraph through the Indian Ocean to this country, so that when that shall be accomplished it will be possible to send a message from London to Melbourne by telegraph to Point de Galle, and thence by steam-boat, and receive a reply in about fifty days.

The latest dates are to the 1st of October. We have from our Melbourne correspondents following important items of intelligence:

THE AUSTRALIAN MAIL.

From Our Correspondent July 26th.

Sir J. Palmerston asked the Secretary of State whether His Majesty's Government had completed arrangements for postal communication with Australia and New Zealand; and what were those arrangements?

Sir F. Wilson said it must be obvious to the right hon. Baronet and to the House that it was impossible to make direct arrangements of such importance in a manner in which they could be carried out perfectly satisfactorily. The Australian Government had been consulted, and to those colonies who were much interested in it. There had been a great deal of difficulty in getting the Australian Government to accept the arrangement, as far as it went, very satisfactorily; but he wished to ask whether the Australian Government had not given the size of the vessels, that none of them should be less than 2000 tons burthen? He was anxious to know whether the commercial steamship would be able to make up to the speed of the vessel per hour through the water, or with regard to the maximum of time required for the voyage between Southampton and Melbourne?

Mr. Wilson said that none of the vessels to be employed would be less than 2000 tons burthen. There was a loss of 1800 tons, to be employed temporarily. For the present law they considered as the best mode of proceeding the payment of a sum of £10,000 to protest, if they have not already done so, against the proposed arrangement.

Mr. Palmerston: How long the contract will be for?

Mr. Wilson: Five years.

SPAIN.

From Spain we have the information that disturbances have taken place at Madrid and Valencia, two points distant from each other. The troops are reported to have been in full, rank-and-file, and despatch would throw some doubt on that fact.

The treat for the disturbances was the despatch of the Duke of Alba, who has been sent to Madrid to quell the rebellion.

Mr. Palmerston: What is the result?

Mr. Wilson: The Duke de Alba has, it appears, written to M. Dupin, a letter enclosed in a very confidential manner, in which he says that he has considered the arrangement without consulting him, as the head of the family.

Mr. Palmerston: Is the Duke of Alba in favour of the arrangement?

Mr. Wilson: He is in favour of the arrangement.

Mr. Palmerston: What is the result?

Mr. Wilson: The Duke de Alba has, it appears, written to M. Dupin, a letter enclosed in a very confidential manner, in which he says that he has considered the arrangement without consulting him, as the head of the family.

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Mr. Wilson: The Duke de Alba has, it appears, written to M. Dupin, a letter enclosed in a very confidential manner, in which he says that he has considered the arrangement without

emotions. More than twenty days ago a senator from a secession state was stricken down in the floor of the Senate, and the assassin had been confined to his room, and on a bed of pain and anguish. The moral sentiment of the nation was shocked by this violation of the freedom of debate. Intelligence of this transaction is flying abroad over the civilized world, and the public opinion of every nation and civilization gives that fact will meet the stern condemnation of mankind. The senator from South Carolina has spent three hours in a long and melancholy speech of apology for an assault which is unparalleled in the history of the nation, and has even now, in a manner not calculated to give offence, said, "I am sorry Mr. Sumner in a manner not establishing good taste. He (Mr. Wilson) knew personally the comments of the South Carolinian, and he did not know that Mr. Sumner had been compelled to lie on his bed from the injuries inflicted upon him. Mr. Wilson caused to be read from Dr. McDonald's speech, and the following follows:

"I have been in attendance on Mr. Sumner since the 25th of May to the present time—part of the period in confinement, and part of the time in his room, at least once a day. During that time Mr. Sumner has been in a condition of great physical suffering, and I have seen him in his bed ever since he came to the Senate. Now we see Mr. Sumner again under my charge, he has been in a condition to go into the country and enjoy fresh air, and not to return to the Senate until the time comes."

Wilson, reasoning, said that Mr. Butler had taken no occasion to apply to Mr. Sumner—

Mr. Butler interrupting—Not, but, Sir.

Mr. Wilson: Well, the senator in his crisis and every word of his famous language was absolutely necessary, and I am glad to see that he has done it.

The senator from South Carolina had taken full enough revenge for the speech made by Mr. Wilson, and had nothing more to say in reference to it. That was the way that Mr. Sumner's speech should have been—not, but, Sir.

Mr. Wilson: But, Sir, I am sorry to say, Mr. Butler does not seem to have done all that Mr. Sumner did make a correct quotation from the committee of South Carolina, which went to the United States, and the American republics, he had aristocratic features in her consultation. He endorsed the assertions of his friends, and the statements of his colleagues, and their republican prejudices in decent attire on occasions of State solemnity, or forcing the eyes of the public on a truth which could not be told without offence—the sight of a live Queen of the Union if possible.

The Senator from South Carolina had also spoken in a manner not calculated to give offence, and because there are those who claim the right to question as to words spoken in debate, and because there are those who claim the right to question as to words spoken in debate.

ANOTHER AMERICAN DIFFICULTY.

AN unpleasant little accident happened in the city of Boston yesterday—an accident not of the most serious character.

A gentleman entered the Palace yesterday, for the purpose of being received by the Queen; but his coming did not conform to their express desire, and so a similar regulation was made, and he was denied audience.

Our American cousins must really learn the good old proverb about "doing at Rome as Romans do," and when they visit the United States, they must, when they visit the American republics, make a correct quotation from the committee of South Carolina, which went to the United States, and the American republics, he had aristocratic features in her consultation. He endorsed the assertions of his friends, and the statements of his colleagues, and their republican prejudices in decent attire on occasions of State solemnity, or forcing the eyes of the public on a truth which could not be told without offence—the sight of a live Queen of the Union if possible.

The PROPOSED SUEZ SHIP CANAL.

(From the "Daily News.")

This European Commission of Engineers assembled last week in Paris to discuss the details of the proposed Suez Canal, and the directors of Suez have brought their labours to a close.

The following is a summary statement of the proceedings:

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The system of supplying the marines

from the fresh water of the Nile, and having added that a fall in the upper regions of the dredging-rooms for the barge would probably show him to the door.

The Commission have rejected the system very properly did in the case of an American whaler, in a frost, yellow vest, and black neckcloth, chose to present himself before the Queen, and the Queen, who was then in the Court, but he preferred to withdraw from the Queen, and her august company, in the course of the half-year, and the meeting, and so far as he could be expected, to have been derided. Our American cousins must really learn the good old proverb about "doing at Rome as Romans do," and when they visit the United States, they must, when they visit the American republics, make a correct quotation from the committee of South Carolina, which went to the United States, and the American republics, he had aristocratic features in her consultation. He endorsed the assertions of his friends, and the statements of his colleagues, and their republican prejudices in decent attire on occasions of State solemnity, or forcing the eyes of the public on a truth which could not be told without offence—the sight of a live Queen of the Union if possible.

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SALES BY AUCTION

BURGUS and **BOWES** have received instructions to sell by auction, at their Rooms, 281, George-street, THIS DAY, Friday, 19th September, at 11 o'clock.
A lot of sundries saved from a late fire. Also, an assortment of Drapery goods, Pictures, &c., &c. Terms at sale.

On FRIDAY, 19th instant.

CHATTO and **HUGHES** have received instructions from the importers to sell by auction, at their Sale Rooms, 243, George-street, THIS DAY, 19th instant, at 11 o'clock. 4 cases superior paper hangings, of every assortment.

Terms at sale.

FRIDAY, 19th instant.

Baskets, Brooms, &c.

CHATTO and **HUGHES** have received instructions to sell by auction, at their Sale Rooms, 243, George-street, THIS DAY, 19th instant, at 11 o'clock.

8 cases, containing Baskelets, of every variety, plain and ornamented. Hand and other brooms. Portmanettes.

Peeket-books.

Clear cases.

Whips, &c., &c.

Beads.

Terms at sale.

FRIDAY, 19th instant.

4 Cases Macassar Oil.

CHATTO and **HUGHES** have received instructions to sell by auction, at their Sale Rooms, 243, George-street, THIS DAY, 19th instant, at 11 o'clock.

4 cases Macassar oil.

Terms at sale.

FRIDAY, 19th instant.

Potash, Soap, & Cigars.

CHATTO and **HUGHES** have received instructions to sell by auction, at their Sale Rooms, 243, George-street, THIS DAY, 19th instant, at 11 o'clock.

An invoice of superior portmanettes.

Cigar cases.

Terms at sale.

FRIDAY, 19th instant.

Sundry Goods, to close consignment accounts.

CHATTO and **HUGHES** have been directed by the consignees to sell by auction, at their Sale Rooms, 243, George-street, THIS DAY, the 19th instant, at 11 o'clock.

The above goods, to close consignment accounts—

Counters.

Sarparella.

Sardines.

Butter.

Flax.

Office lists.

Pictures.

Albert chains.

Seals.

Rubber.

Gold panel cases.

Guards.

Perfumery. And

A great variety of fancy goods.

Terms at sale.

FRIDAY, 19th instant.

52 Pairs TUESDAY'S Drawing Sale.

TUESDAY, 19th instant.

CHATTO and **HUGHES** have received instructions to sell by auction, at their Sale Rooms, 243, George-street, on TUESDAY, 23rd instant, at 11 o'clock.

Invoices of the following reasonable goods, viz:

Muslin dresses.

Superior spring and summer clothing.

French domestics.

Sheets.

Ticks.

Window muslin.

Mosquito nets.

Sheet cloths.

Dustsheet.

Holland.

Organdy dresses.

Cashmere dresses.

Handkerchiefs and silk shawls.

Caps.

Handkerchiefs.

Paris silk hats.

Children's hats.

Gloves.

Table covers, &c., &c.

Terms at sale.

At the Residence of Robert Scott Ross, Esq., Broughton House.

On THURSDAY, the 23rd instant.

Elegant Household Furniture, 8-octave Pianoforte, and Effects.

Handsome Carriage and Silver-plated Harness.

Pair Bay Carrizzo Horses.

Cows, Poultry, &c., &c.

CHATTO and **HUGHES** have received instructions from Robert Scott Ross, Esq., to sell by auction, at their Sale Rooms, 243, George-street, on THURSDAY, the 23rd instant, at 11 o'clock.

The whole of his handsome and substantial household furniture, including—

Woodwork and mahogany tables.

Rosewood couches and card tables.

Easy chairs.

High-seated and dining-room chairs.

Teakwood dining-tables.

Handsome carpets and rugs to match.

Four-post bedsteads.

Hair mattresses.

Beding.

Sideboards.

Chef-stands.

Hall tables.

Picture-frames, &c., &c.

Cut glass.

Vases, ornaments, &c., &c.

All and requisites of the very best quality, suitable for a first-rate establishment.

Also, a superb lot of 8-octave pianoforte.

And a very handsome family carriage, with silver-plated carriage harness.

A pair of excellent bay carriage horses, perfectly quiet.

Four-post or double harness, and used to town work.

2 miles come.

Pigs, poultry, &c., &c.

Terms at sale.

N.B.—Omnibuses will leave the Sale Rooms on the morning of the sale.

Important and Unreserved Sale of 60 Packings very Superior Cut and Moulded Glassware.

To Earthware and Glassware Dealers, Country Storekeepers, Shippers, and others.

At the Bank Auction Rooms, THIS DAY, the 18th instant, at 11 o'clock precisely.

Thirty-five packages superior glassware, comprising

Moulded and pressed tumblers.

Cut decanters, pint and quart.

Cut cruet.

Ditto goblets.

Small cut and claret jugs.

Double and single champagnes and claret jugs.

Double and single Gloucester cheese.

Cheshire cheese, &c., &c.

To Grocers, Provision Dealers, and others.

FRITH and **PATYEN** are instructed to sell, at the Sydney Auction Rooms, THIS DAY, at 11 o'clock.

6 tons colonial soap.

Terms at sale.

First-class Saddle Horse.

BURT, **HASSALL**, and **CO.** are instructed to sell by auction, at the Bazaar, on SATURDAY, at 11 o'clock.

Vampires a very handsome bay gelding, 5 years old; 155 pounds, a very strong and hardy animal, and got by "Waverley," out of "Plain," by old Granda.

Vampires is a very perfect horse, with splendid action, show appearance, and is in every respect suited for a gentleman's charger.

Fine Young Horses.

From the Stud of F. Blandford, Esq., Clarence River.

BURT, **HASSALL**, and **CO.** are instructed to sell by auction, at the Bazaar, on SATURDAY, at 11 o'clock.

"Young" very handsome bay gelding, 6 years old, by Skillinder, out of "Sally Brass," own brother to the race-horse "Little Dick," very quiet and sound, is broken to saddle, and suited to carry a lady.

Choice Young Horses.

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